

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



FILED
4-05-16
04:59 PM

Joint Application of Charter Communications, Inc.; Charter Fiberlink CA-CCO, LLC (U6878C); Time Warner Cable Inc.; Time Warner Cable Information Services (California), LLC (U6874C); Advance/Newhouse Partnership; Bright House Networks, LLC; and Bright House Networks Information Services (California), LLC (U6955C) Pursuant to California Public Utilities Code Section 854 for Expedited Approval of the Transfer of Control of both Time Warner Cable Information Services (California), LLC (U6874C) and Bright House Networks Information Services (California), LLC (U6955C) to Charter Communications, Inc., and for Expedited Approval of a *pro forma* transfer of control of Charter Fiberlink CA-CCO, LLC (U6878C).

Application No. 15-07-009

Filed July 2, 2015

**NOTICE OF EX PARTE COMMUNICATION OF
THE NATIONAL DIVERSITY COALITION**

Robert Gnaizda

National Asian American Coalition
15 Southgate Ave., Suite 200
Daly City, CA 94015
Telephone: (650) 952-0522
Email: robertgnaizda@gmail.com

Attorney for
THE NATIONAL DIVERSITY COALITION
and THE NATIONAL ASIAN AMERICAN
COALITION

April 4, 2016

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Joint Application of Charter Communications, Inc.; Charter Fiberlink CA-CCO, LLC (U6878C); Time Warner Cable Inc.; Time Warner Cable Information Services (California), LLC (U6874C); Advance/Newhouse Partnership; Bright House Networks, LLC; and Bright House Networks Information Services (California), LLC (U6955C) Pursuant to California Public Utilities Code Section 854 for Expedited Approval of the Transfer of Control of both Time Warner Cable Information Services (California), LLC (U6874C) and Bright House Networks Information Services (California), LLC (U6955C) to Charter Communications, Inc., and for Expedited Approval of a *pro forma* transfer of control of Charter Fiberlink CA-CCO, LLC (U6878C).

Application No. 15-07-009

Filed July 2, 2015

**NOTICE OF EX PARTE COMMUNICATION OF
THE NATIONAL DIVERSITY COALITION**

I. Introduction

Pursuant to Rule 8.4 of the California Public Utilities Commission's ("CPUC") Rules of Practice and Procedure, the National Diversity Coalition¹ ("NDC") hereby submits this notice of the following *ex parte* communication. The oral communication occurred on Monday, April 4, 2016 from 2:35pm to 3:15pm.

¹ National Diversity Coalition members include the National Asian American Coalition (NAAC), African American Economic Justice Organization, Asian Journal, Chinese American Institute for Empowerment, Christ Our Redeemer AME Church, COR Community Development Corporation, Ecumenical Center for Black Church Studies, Jesse Miranda Center for Hispanic Leadership, Los Angeles Latino Chamber of Commerce, Latino Coalition for Community Leadership, Macedonia Community Development Corporation, MAAC Project, National Hispanic Christian Leadership Conference, OASIS Center International, Orange County Interdenominational Alliance, Templo Calvario CDC, and West Bay Pilipino Multi-Service Center. Please note, in prior proceedings before this Commission, NDC members have appeared under the name "Joint Minority Parties".

On April 4 six members of the National Diversity Coalition and National Asian American Coalition spoke on the phone with Elizabeth Podolinsky, Advisor to CPUC President Michael Picker. On the call were Cora Oriel, President of Asian Journal Publications; Richard Ramos, CEO of Latino Coalition for Community Leadership; Alex Anderson, Co-Chair of African Americans for Economic Justice; Gilbert Vasquez, Chair of the Los Angeles Latino Chamber of Commerce; Faith Bautista, President and CEO of the National Asian American Coalition and CEO of the National Diversity Coalition; and Robert Gnaizda, General Counsel of the National Diversity Coalition and National Asian American Coalition.

During the meeting we discussed why, in part, California's 25 million minorities, particularly among Time Warner customers, would benefit from the proposed merger by Charter acquiring Time Warner and Bright House. The main points we raised were that:

1. unlike Comcast, the CEO has made a commitment to regularly meet with the minority community;
2. Charter has committed to a highly affordable full-service lifeline program at just \$3.66/month and to a \$14.99/month high-speed broadband internet service which could benefit up to a million low/moderate-income Californians
3. Time Warner had a poor record of serving the minority community and low/moderate-income communities, and the most effective, expeditious, and least-costly mechanisms for improving Time Warner's policies was to have it taken over by a new company that was committed to the low/moderate-income community and public interest CPUC policies.
4. Unlike Time Warner, Charter is committed to major and often specific programs and programming dedicated to serving the diversity of the state, including all elements of the

Asian American community, Black community, and Latino community. This includes covering community groups' costs in presenting diversity programs.

5. Charter committed over time to fully complying with all the goals of GO-156 relating to diversity and would, for the first time, actively participate in the Commission's GO-156 en banc hearings.

We also discussed California lagging well behind other developed nations as to high-speed and accessible broadband internet service, particularly among the 70% of Americans who live from paycheck to paycheck. We stated that one of our goals in the agreement with Charter, that will go into effect if the merger is approved, is for the U.S. within a decade or less to become the worldwide leader in speed and availability of broadband service to all communities.

In addition, we discussed our concerns about the lack of public hearings; there was only one, in which the overwhelming majority supported Charter. This was discussed in the context of the many hearings in 2015 in many geographical areas relating to Frontier's acquisition of Verizon's landlines.

We also briefly discussed our concerns relating to the lack of comprehensiveness and lack of specific data at the annual en banc diversity hearings and made some suggestions that might be applicable in this proceeding and in other proceedings.

Respectfully Submitted,

/s/ Robert Gnaizda
Robert Gnaizda, General Counsel
National Asian American Coalition
15 Southgate Ave., Suite 200
Daly City, CA 94015
Telephone: (650) 952-0522
Email: robertgnaizda@gmail.com

April 4, 2016